

List of Documents Withheld or Redacted

EPA-R3-2013-003899 – James Banks

1. Email from Carol Galloway to Abu Senkayi, Ameilia Whitson, Andrew Duchovnay, et al., dated 1/17/2013, re: Info for CAFO call – NC state court decision. Part of an email string. *Rose Acre Farms, Inc., et al. v. NC Department of Environmental and Natural Resources* is attached. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client**).
2. Email from Simma Kupchan to Bob Sussman, Avi Garbow, Brenda Mallory, et al., dated 1/28/2013, re: Roseacre Farm citizen suit decision on agricultural storm water and poultry house discharges. Part of an email string. *Rose Acres Farms, Inc., et al., v. North Carolina Department of Environmental and Natural Resources* is attached. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**).
3. Email from David Drelich to Melissa Katz, dated 7/11/2012, re: analysis of ventilation fans as a source of water pollution. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client**).
4. Email from Andrew Duchovnay to Michelle Price-Fay and Ashley Toy, dated 8/6/2012, re: discussion of bootleg fans and feathers briefing paper. Part of an email string. Briefing paper is attached. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client, Attorney Work Product**).
5. Challenge to Concentrated Animal Feeding Operations (“CAFO”) Administrative Compliance Order, dated 8/2012. This document is an attachment to document # 4 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Attorney Work Product and Deliberative Process**) and Exemption 6 (**Privacy**).
6. Email from Andrew Duchovnay to George Utting, dated 8/6/2012, re: discussion of bootleg fans and feathers briefing paper. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client, Attorney Work Product**) and Exemption 6 (**Privacy**).
7. Email from Andrew Duchovnay to Ashley Toy, dated 8/6/2012, re: discussion bootleg fans and feathers briefing papers. Part of an email string. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client, Attorney Work Product**).
8. Email from Andrew Duchovnay to Stephen Field, Marcia Mulkey, dated 8/7/2012, re: discussion of CAFO Owner Operator briefing paper on poultry house fan exhaust. Part of an email string. Summary of Poultry House Exhaust Fan Issue paper, Carper-Castle response letter and case law are attached are attached. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) and Exemption 6 (**Privacy**).
9. Challenge to CAFO Administrative Compliance Order, dated 8/2012. This document is an attachment to document # 8 on this list. This document is being withheld because it contains

information that is exempt from disclosure under FOIA Exemption 5 (**Attorney Work Product and Deliberative Process**) and Exemption 6 (**Privacy**).

10. Email from Joseph Theis to Melissa Katz, Simma Kupchan, Stephen Field, et al., dated 10/16/2012 re: comments on draft CAFO Owner Operator letter. Part of an email string. Draft letters are attached. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
11. Two draft letters from Andrew Duchovnay to David Yaussy, undated, re: initiating settlement discussions with CAFO Owner Operator. These documents are attachments to # 10 on this list. These documents are being withheld because they contain information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
12. Email from Joseph Theis to Joseph Theis, dated 10/16/2012, re: comments on draft CAFO Owner Operator letter. Part of an email string. Draft letters are attached. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
13. Three draft letters from Andrew Duchovnay to David Yaussy re: initiating settlement discussions with CAFO Owner Operator. These documents are attachments to document # 12 on this list. These documents are being withheld because they contain information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
14. Email from Stephen Field to Joseph Theis, dated 10/16/2012, re: comments on draft CAFO Owner Operator letter. Part of an email string. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) FOIA Exemption 6 (**Privacy**).
15. Email from Ashley Toy to Joseph Theis, dated 10/16/2012, re: comments on draft CAFO Owner Operator letter. Part of an email string. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client**) and FOIA Exemption 6 (**Privacy**).
16. Email from Ashley Toy to Joseph Theis, dated 10/16/2012 re: comments on draft CAFO Owner Operator letter. Part of an email string. Draft letter is attached. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client**) and FOIA Exemption 6 (**Privacy**).
17. Draft letter from Andrew Duchovnay to David Yaussy, undated, re: initiating settlement discussions with CAFO Owner Operator. This document is an attachments to # 16 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) and Exemption 6 (**Privacy**).
18. Email from Stephen Field to Ashley Toy, dated 10/16/2012, re: comments on draft CAFO Owner Operator letter. Part of an email string. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
19. Email from Joseph Theis to Ashley Toy, dated 10/26/2012, re: comments on draft of CAFO Owner Operator withdrawal letter. Part of an email string. Draft letter is attached. This document is being withheld because it contains information that is exempt from disclosure under

- FOIA Exemption 5 (**Deliberative Process, Attorney Client Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
20. Draft letter from Andrew Duchovnay to David Yaussy, undated, re: withdrawal of Administrative Compliance Order. This document is an attachment to document # 19 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
 21. Email from Joseph Theis to Ashley Toy, dated 10/26/2012, re: comments on draft CAFO Owner Operator withdrawal letter. Part of an email string. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product, Attorney Client**) and FOIA Exemption 6 (**Privacy**).
 22. Email from Joseph Theis to Ashley Toy, dated 10/26/2012 re: comments on draft CAFO Owner Operator withdrawal letter. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product, Attorney Client**) and FOIA Exemption 6 (**Privacy**).
 23. Email from Joseph Theis to Stephen Field, dated 10/26/2012, re: proposed comments to the CAFO Owner Operator withdrawal letter. Part of an email string. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
 24. Email from Simma Kupchan to Melissa Katz, dated 12/18/2012 re: comments on ACO. Briefing paper is attached. Part of an email string. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
 25. Briefing paper, dated December 2012, re: legal analysis about what constitutes discharges subject to NPDES requirements. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**).
 26. Email from Melissa Katz to Simma Kupchan, dated 12/18/2012, re: comments on ACO. Part of an email string. Briefing paper is attached. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
 27. Briefing paper, dated December 2012, re: legal analysis about what constitutes discharges subject to NPDES requirements. This document is an attachment to # 26 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**).
 28. Meeting updated, Avi Garbow to Andrew Duchovnay, dated 10/18/2012, re: CAFO Owner Operator briefing. Briefing documents are attached. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process**) and FOIA Exemption 6 (**Privacy**).
 29. Challenge to CAFO Administrative Compliance Order, dated 8/2012. This document is an attachment to document # 28 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Attorney Work Product and Deliberative Process**) and FOIA Exemption 6 (**Privacy**).

30. Letter from Andrew Duchovnay to David Yaussy, undated re: CAFO Owner Operator potential settlement. This document is an attachment to document # 28 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
31. Briefing Paper, dated 10/17/2012 re: considerations for settlement with CAFO Owner Operator. This document is an attachment to document # 28 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) and Exemption 6 (**Privacy**).
32. Email from Melissa Katz to Simma Kupchan, dated 10/17/2012, re: comments and follow up questions on CAFO Owner Operator letter. Part of an email string. Draft versions of briefing are attached. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) FOIA Exemption 6 (**Privacy**).
33. Five draft briefing papers re: comments and follow up questions on CAFO Owner Operator letter. These documents are attachments to document # 28 on this list. These documents are being withheld from disclosure because they contain information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) FOIA Exemption 6 (**Privacy**).
34. Email from Simma Kupchan to Simma Kupchan, dated 10/17/2012, re: comments and follow up questions on CAFO Owner Operator letter. Part of an email string. Draft versions of briefing papers are attached. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) FOIA Exemption 6 (**Privacy**).
35. Three draft briefing papers re: comments and follow up questions on CAFO Owner Operator letter, dated October 16, 2012. These documents are attachments to document number # 30 on this list. These documents are being withheld from disclosure because they contain information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) FOIA Exemption 6 (**Privacy**).
36. Email from Melissa Katz to Joseph Theis, Andrew Duchovnay, Stephen Field, et al., dated 10/11/2012, re: CAFO Owner Operator revised Q & As. Briefing paper is attached. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) FOIA Exemption 6 (**Privacy**).
37. Draft Follow up Questions, undated. This document is an attachment to document # 36 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOA Exemption 5 (**Deliberative Process, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
38. Email from Melissa Katz to Andrew Duchovnay, dated 10/3/2012, re: discussion of 40 CFR 122.23(b)(8). Part of an email string. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**).
39. Email from Melissa Katz to Andrew Duchovnay, dated 10/3/2012, re: discussion of 40 CFR 122.23(b)(8). Part of an email string. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**).

40. Email from Simma Kupchan to Hema Subramanian, dated 9/24/2012, re: 2003 rule language. Part of an email string. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
41. Agricultural Exemptions in the Clean Water Act Definition of "Point Source," dated 7/2/2009. This document is an attachment to document # 40 on this list. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Attorney Client, Deliberative Process, Attorney Work Product**).
42. Email from Andrew Duchovnay to Marcia Mulkey, dated 7/11/2012, re: briefing paper for conference call discussing CAFO Owner Operator. Part of an email string. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Attorney Client, Attorney Work Product, Deliberative Process**) and FOIA Exemption 6 (**Privacy**).
43. Briefing Paper, OCE General, dated 7/12/2012. This document is an attachment to document # 42 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process**) and FOIA Exemption 6 (**Privacy**).
44. Email from Kyle Zieba to Andrew Duchovnay, dated 6/24/2015, re: comments to draft amendment for CAFO Owner Operator Administrative Compliance Order. Part of an email string. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client**) and FOIA Exemption 6 (**Privacy**).
45. Email from Andrew Duchovnay to Simma Kupchan, dated 7/9/2012, re: CAFO Owner Operator legal memo. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
46. Legal analysis re: Clean Water Act discharges and agricultural exemption. This document is an attachment to # 45 on this list. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**).
47. Email from Joseph Theis to Stephen Field, Andrew Duchovnay and Michelle Price-Fay, dated 7/11/2012, re: briefing memo. Memo is attached. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
48. OCE General Briefing Paper, dated 7/12/2012 re: legal analysis for Administrative Order options. This document is an attachment to document # 47 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
49. Email from Melissa Katz to Andrew Duchovnay, Mary Ellen Levine and George Utting, dated 7/24/2012, re: CAFO Owner Operator Options – briefing paper. Briefing paper is attached. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Attorney Client, Deliberative Process, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
50. CAFO Owner Operator Options Paper, undated. This document is an attachment to document # 49 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process**) and FOIA Exemption 6 (**Privacy**).

51. Email from Melissa Katz to Joseph Theis, Andrew Duchovnay, Stephen Field, et al., dated 10/11/2012, re: CAFO Owner Operator revised Q & As. Follow up questions are attached. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
52. Briefing Paper, Follow up questions, undated. This document is an attachment to document # 51 on this list. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
53. Email from Melissa Katz to Simma Kupchan, Andrew Duchovnay, Ashley Toy, et al., dated 9/24/2012, re: CAFO Owner Operator case. Memos are attached. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
54. Briefing paper, Agricultural Exemptions in the Clean Water Act Definition of "Point Source," dated 7/2/2009. This document is an attachment to document # 53 on this list. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Attorney Client, Deliberative Process, Attorney Work Product**).
55. Memo from Ruth Baldwin to Sylvia Horowitz, dated 7/10/2017, re: regulation of agricultural discharges under the CWA and the agricultural exemptions. This document is an attachment to document # 53 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**).
56. Email from Andrew Duchovnay to Ashley Toy, Michelle Price-Fay and David McGuigan, dated 7/26/2012, re: briefing memo and meeting information. Briefing paper is attached. Part of an email string. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client, Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
57. OCE General Briefing Paper, dated 7/26/2012 re: legal analysis for Administrative Order options. This document is an attachment to document # 56 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
58. Email from Simma Kupchan to Melissa Katz, dated 12/18/2012 re: comments on ACO. Briefing paper is attached. Part of an email string. This document is being withheld from disclosure because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Client, Attorney Work Product**).
59. Briefing Paper, dated 12/2012, re: legal analysis about what constitutes discharges subject to NPDES requirements. This document is an attachment to document # 58 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**).
60. Email from Simma Kupchan to Hema Subramanian, dated 9/24/2012 re: 2003 Rule Language. Part of an email series. Briefing paper is attached. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 6 (**Privacy**) and Exemption 5 (**Attorney Work Product**).

61. Agricultural Exemption in the Clean Water Act Definition of Point Source Briefing, dated July 2, 2009. This document is an attachment to document # 60 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process**).
62. Email from David Drelich to Melissa Katz, dated 7/11/2012 re: discussion of ventilation fans and water pollution. Part of an email series. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Attorney Work Product and Deliberative Process**) and FOIA Exemption 6 (**Privacy**).
63. National CAFO Compliance and Enforcement Conference Call notes, dated January 17, 2013. This document is an attachment to an email that is being released. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process**) and FOIA Exemption 6 (**Privacy**).
64. Email from David L. Yaussy to Andrew Duchovnay, dated 3/6/2012 re: CAFO Owner Operator. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
65. Letter from David L. Yaussy to Andrew Duchovnay, dated 3/5/2012 re: CAFO Owner Operator. This document is an attachment to document # 64 on this list. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
66. Email from Simma Kupchan to Steven Neugeboren, dated 8/6/2012 re: CAFO Owner Operator Briefing Paper. Briefing paper is attached. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process and Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
67. Challenge to CAFO Administrative Compliance Order, dated 8/2012. This document is an attachment to document # 66 on this list. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Attorney Work Product and Deliberative Process**) and FOIA Exemption 6 (**Privacy**).
68. Email from Hema Subramanian to Melissa Katz, Simma Kupchan, Andrew Duchovnay and Ashley Toy, dated 9/24/2012 re: 2003 Rule Language. Part of an email series. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
69. Email from Ashley Toy to Andrew Duchovnay, Simma Kupchan and Melissa Katz, dated 12/12/2012 re: CAFO Owner Operator Close Out Letter. Part of an email series. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**) and FOIA Exemption 5 (**Attorney Client**) FOIA Exemption 6 (**Privacy**).
70. Email from Ashley Toy to Andrew Duchovnay, Simma Kupchan and Melissa Katz, dated 12/12/2012 re: CAFO Owner Operator close out Letter. Letter is attached. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
71. Letter from Michelle Price-Fay to CAFO Owner Operator, dated 12/12/2012, re: Administrative Order. This document is an attachment to document # 70 on this list. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).

72. Email from Ashley Toy to Andrew Duchovnay, Simma Kupchan and Melissa Katz, dated 12/12/2012, re: CAFO Owner Operator close out letter. Part of an email series. Letter is attached. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
73. Letter from Michelle Price-Fay to CAFO Owner Operator, dated 12/12/2012, re: Administrative Order. This document is an attachment to document # 72 on this list. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
74. Email from Ashley Toy to Andrew Duchovnay, Simma Kupchan and Melissa Katz, dated 12/12/2012, re: CAFO Owner Operator close out letter. Part of an email series. Letter is attached. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
75. Letter from Michelle Price-Fay to CAFO Owner Operator, dated 12/12/2012, re: Administrative Order. This document is an attachment to document # 74 on this list. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
76. Email from Simma Kupchan to Ashley Toy, dated 12/12/2012, re: CAFO Owner Operator close out letter. Part of an email series. Letter is attached. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**) and FOIA Exemption 5 (**Attorney Work Product**).
77. Letter from Michelle Price-Fay to CAFO Owner Operator, dated 12/12/2012, re: Administrative Order. This document is an attachment to document # 76 on this list. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
78. Email from Stephen Field to Andrew Duchovnay, dated 12/13/2012, re: CAFO Owner Operator withdrawal letter with corrected data. Letter is attached. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**) and FOIA Exemption 5 (**Attorney Work Product**).
79. Letter from Jon M. Capacasa to CAFO Owner Operator, dated 12/13/2012, re: Administrative Order. This document is an attachment to document # 78 on this list. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
80. Email from Simma Kupchan to Melissa Katz, dated 12/18/2012, re: comments on ACO. Part of an email string. Briefing paper is attached. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process and Attorney Work Product**) and FOIA Exemption 6 (**Privacy**).
81. Briefing paper, dated December 2012, re: legal analysis about what constitutes discharges subject to NPDES requirements. This document is being withheld because it contains information that is exempt from disclosure under FOIA Exemption 5 (**Deliberative Process, Attorney Work Product**).
82. Clean Water Act Compliance Inspection report, authored by EPA and the West Virginia Department of Environmental Protection, re: CAFO Owner Operator facility, dated 9/12/2011. Cover letter is attached. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 6 (**Privacy**).

83. Appendix C, Photograph Logs and Photographs, undated. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
84. Letter to from CAFO Owner Operator to Ashley Toy, dated 11/15/2011 re: corrections to report, dated 9/12/2011. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
85. Clean Water Act Compliance Inspection authored by EPA and West Virginia Department of Environmental Protection, dated 8/22/1011. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
86. EPA Water Compliance Inspection Report, dated 6/28/2012, re: CAFO Owner Operator facility. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
87. Letter from CAFO Owner Operator to Ashley Toy, dated 2/7/2012, re: forwarding documents required by order to EPA. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
88. Clean Water Act Compliance Inspection prepared by EPA, dated 6/22/2012 re: CAFO owner Operator facility. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
89. Letter from Kyle Zieba to CAFO Owner Operator, dated 6/22/2012 re: forwarding the 5/22/2012 Inspection Report, prepared by EPA. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
90. Clean Water Act Compliance Inspection report, prepared by EPA and the West Virginia Department of Environmental Protection, dated 8/25/2011, re: CAFO Owner Operator facility. Cover letter is attached. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
91. Appendix C, Photograph Log and Photographs, undated. Information has been redacted from this document because it contains information that is exempt from disclosure under FOIA Exemption 6 (**Privacy**).
92. Letter from Michelle Price-Fay to CAFO Owner Operator, dated 12/12/2012, re: Administrative Order. This document is an attachment to document that is being released. Information has been redacted from this document because it is exempt from disclosure under FOIA Exemption 6 (**Privacy**).

